

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>CRIMINAL NO. : _____</b>
<b>v.</b>	<b>:</b>	<b>DATE FILED: _____</b>
<b>DAVID VIERA</b>	<b>:</b>	<b>VIOLATIONS:</b>
<b>LUIS VIERA</b>	<b>:</b>	<b>21 U.S.C. § 846 (conspiracy to</b>
	<b>:</b>	<b>distribute 50 grams or more of cocaine</b>
	<b>:</b>	<b>base (“crack”) - 1 count)</b>
	<b>:</b>	<b>21 U.S.C. § 841(a)(1), (b)(1)(B)</b>
	<b>:</b>	<b>(distribution of five grams or more of</b>
	<b>:</b>	<b>cocaine base (“crack”) - 2 counts)</b>
		<b>21 U.S.C. § 841(a)(1), (b)(1)(A)</b>
		<b>(distribution of 50 grams or more of</b>
		<b>cocaine base (“crack”) - 2 counts)</b>
		<b>18 U.S.C. § 2 (aiding and abetting)</b>

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

1. From in or about 2004, to on or about March 13, 2007, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendants

**DAVID VIERA and**  
**LUIS VIERA**

conspired and agreed, together and with others unknown to the grand jury, to knowingly and intentionally distribute 50 grams or more of a mixture and substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A).

### **MANNER AND MEANS**

It was a part of the conspiracy that:

2. Defendant **DAVID VIERA** manufactured crack from cocaine supplied to him by defendant **LUIS VIERA**.

3. The defendants distributed 50 grams or more of crack in the Philadelphia, Pennsylvania area.

### **OVERT ACTS**

In furtherance of the conspiracy and to accomplish its object, the following overt acts, among others, were committed in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere:

1. On or about May 5, 2005, defendant **DAVID VIERA** sold approximately 28.7 grams of crack and approximately 13.8 grams of cocaine for a total of \$1,355 to a cooperating witness.

2. On or about May 24, 2005, defendant **DAVID VIERA** sold approximately 54.7 grams of crack for \$1800 to a cooperating witness.

3. On or about November 15, 2005, defendant **LUIS VIERA** sold approximately 21.54 grams of crack for \$900 to a cooperating witness.

4. On or about February 15, 2006, defendant **LUIS VIERA** sold approximately 56.9 grams of crack for \$1800 to a cooperating witness.

All in violation of Title 21, United States Code, Section 846.

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about May 5, 2005, in Philadelphia, in the Eastern District of Pennsylvania,  
defendants

**DAVID VIERA and  
LUIS VIERA**

knowingly and intentionally distributed, and aided and abetted the distribution of, five grams or more, that is, approximately 28.7 grams, of a mixture and substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B),  
and Title 18, United States Code, Section 2.

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about May 24, 2005, in Philadelphia, in the Eastern District of  
Pennsylvania, defendants

**DAVID VIERA and  
LUIS VIERA**

knowingly and intentionally distributed, and aided and abetted the distribution of, 50 grams or more, that is, approximately 54.7 grams, of a mixture and substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A),  
and Title 18, United States Code, Section 2.

**COUNT FOUR**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about November 15, 2005, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**DAVID VIERA and  
LUIS VIERA**

knowingly and intentionally distributed, and aided and abetted the distribution of, five grams or more, that is, approximately 21.54 grams, of a mixture and substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B), and Title 18, United States Code, Section 2.

**COUNT FIVE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about February 15, 2006, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**DAVID VIERA and  
LUIS VIERA**

knowingly and intentionally distributed, and aided and abetted the distribution of, 50 grams or more, that is, approximately 56.9 grams, of a mixture and substance containing a detectable amount of cocaine base (“crack”), a Schedule II controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(A), and Title 18, United States Code, Section 2.

**A TRUE BILL:**

\_\_\_\_\_  
**FOREPERSON**

\_\_\_\_\_  
**PATRICK L. MEEHAN**  
**United States Attorney**